



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 06/2022)**

Project Information

Project Name (if applicable): Livingston Landscape and Irrigation

DIST-CO-RTE: 110-MER-99

PM/PM: R30.1/R30.6

EA: 10-1P420

Federal-Aid Project Number: n/a

Project Description

The California Department of Transportation (Caltrans) proposes a project to restore landscaping and irrigation systems damaged by fire near Livingston, California. The project zone encompasses both the northeast and southwest quadrants of the Winton Parkway on-ramps to State Route 99, stretching from 0.3 miles south to 0.1 miles north of the Winton Parkway Overcrossing (SR-99 postmiles R30.1 to R30.6), in Merced County. The purpose of this project is to revitalize the fire-damaged landscaping and irrigation systems, enhancing the aesthetics of the on-ramps and potentially improving air quality through reintroduced vegetation. The fire significantly damaged the existing landscaping and irrigation systems, leaving the area barren and potentially susceptible to erosion. Restoration efforts are necessary to return the on-ramps to a visually appealing state and potentially mitigate environmental impacts caused by the fire.

Caltrans CEQA Determination (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

- Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
- Categorically Exempt. Class 1.** (PRC 21084; 14 CCR 15300 et seq.)
 - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

Elizabeth Hummel	<i>Elizabeth Hummel</i>	05/01/2024
Print Name	Signature	Date

Project Manager

Edujie Imoisili	<i>Edujie Imoisili</i>	05/01/2024
Print Name	Signature	Date



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Caltrans NEPA Determination (Check one)

[X] Not Applicable

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

[] 23 USC 326: Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- [] 23 CFR 771.117(c): activity (c)()
[] 23 CFR 771.117(d): activity (d)()
[] Activity listed in Appendix A of the MOU between FHWA and Caltrans

[] 23 USC 327: Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Print Name Signature Date

Project Manager/ DLA Engineer

Print Name Signature Date

Date of Categorical Exclusion Checklist completion (if applicable): n/a
Date of Environmental Commitment Record or equivalent: 5/1/24

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).



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Continuation sheet:

General:

- Environmental reevaluation will be required if the scope of the project changes to include additional areas or activities, or if previously unknown cultural or other sensitive resources are discovered. Contact the Environmental Office if project changes occur or sensitive resources discovered.

Cultural:

- If cultural materials are discovered at the job site, do not disturb the resources and immediately:
 - Stop all work within a 60-foot radius of the discovery
 - Protect the discovery area
 - Notify the Engineer
 - The Department investigates. Do not move cultural materials or take them from the job site. Retain a qualified archaeologist to assess the significance of the find. Do not resume work within the discovery area until authorized.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). At that time the landowner will work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Hazardous Waste:

- The Caltrans Standard Special Provision, 7-1.02K(6)(j)(iii), which pertains to Earth Material Containing Lead, shall be added to the construction contract. A lead compliance plan prepared by a Certified Industrial Hygienist (CIH) is required and all soil must remain on-site.

Biology:

- If work occurs during the migratory bird nesting season (February 1 – September 30), preconstruction surveys must be conducted by a qualified Caltrans biologist within 14 days prior to the start of any construction activities. If active nests are observed, buffers will need to be established around each nest until the young have fledged, per California Department of Fish and Wildlife (CDFW) guidelines. A 100-foot buffer will be established around active nests. For hawks, a 300-foot buffer will be established. For Swainson's hawks, a 600-foot buffer will be established. If construction activities do not commence within 14 days of the cleared survey, or if construction activities stop for more than 14 days, a subsequent bird survey may be required before construction commences or recommences. No construction activities shall commence without clearance from



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the Caltrans District 10 Environmental Office. Include Caltrans SSP 14-6.03A in the contract so that a preconstruction bird survey is completed.

No permits required for this project.